

ORDINANCE NO. 2016- 20

**ORDINANCE AMENDING RULES AND REGULATIONS FOR
THE BILLING, COLLECTION AND DISCONNECTION OF ELECTRIC,
WATER, WASTEWATER, TRASH AND STORM WATER SERVICES
ADOPTED AS ORDINANCE 2016-19**

WHEREAS, on October 10, 2016, the Town Council approved and adopted Ordinance 2016-19, which established the rules and regulations for the billing, collection, and disconnection of electric, water, wastewater, trash and storm water services;

WHEREAS, the Town Council has determined that the disconnection deadline was incorrectly stated in the Ordinance and needs to be amended;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF CHALMERS, INDIANA, THAT:

Section 1:

The following paragraphs shall replace the paragraphs in Ordinance 2016-19.

Section 2:

Section 3, Billing Procedures, Paragraph D, shall read as follows:

D. A late payment charge of \$10 for each \$100 outstanding shall be charged to the customer's account for each month that the account is not paid by the due date. Penalties will apply beginning on the 20th day of each month. If said bill is not paid fourteen (14) days after the due date, there will be a Utility Shut Off Notice delivered 3 days prior to the disconnection of utilities to the residence. Residents will have 72 hours from said notice to pay the outstanding bill, or water and/or electric will be shut off, as applicable.

Section 6, Notice of Involuntary Disconnection, Paragraph B, shall read as follows:

B. Except as otherwise provided, water service to any Residential Customer shall not be disconnected for a violation of any rule or regulation of the Water Utility or for the nonpayment of a bill, except after fourteen (14) days prior written notice to the Residential Customer by either:

i. Mailing the notice to the Residential Customer at the address shown on the records of the utility; or

ii. Personal delivery of the notice to the Residential Customer or a responsible member of his or her household at the address shown on the records of the utility.

Section 6, Notice of Involuntary Disconnection, Paragraph C, shall read as follows:

C. Except as otherwise provided, electric service to any Residential Customer shall not be disconnected for violation of any rule or regulation of the Town Utility or for the nonpayment of a bill, except after fourteen (14) days prior written notice to the Residential Customer by either¹:

i. Mailing the notice to the Residential Customer at the address shown on the records of the utility; or

ii. Personal delivery of the notice to the Residential Customer or a responsible member of his or her household at the address shown on the records of the utility.

Section 3:

This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

¹ Ind. Code § 8-1-2-122 applies to municipal utilities. The notice set forth in this section of the Ordinance complies with the requirements of Ind. Code § 8-1-2-122 that energy service may not be terminated to an occupied dwelling because of the failure of a customer to pay his or her energy bill until fourteen (14) days after it services notice upon the customer of its intent to terminate service during the period November 1 of any year and ending the following April 1.

Passed and adopted by the Town Council of the Town of Chalmers on the 24th day of

October, 2016.

Marcus King
Marcus King, President

Attested by:

Jeff Resnick
Jeff Resnick, Clerk-Treasurer